

**KENTUCKY BOARD OF EDUCATION
REGULAR MEETING
OCTOBER 6-7, 2004**

**STATE BOARD ROOM
1ST FLOOR, CAPITAL PLAZA TOWER
FRANKFORT, KENTUCKY**

SUMMARY MINUTES

The Kentucky Board of Education held its regular meeting on October 6-7, 2004, in the State Board Room, First Floor, Capital Plaza Tower, Frankfort, Kentucky. The Board conducted the following business:

Wednesday, October 6, 2004

KSB/KSD OVERSIGHT COMMITTEE

The KSB/KSD Oversight Committee met from 8:15 a.m. to 9:45 a.m. and discussed the following items:

Review Items

1. **History of Work at the Kentucky School for the Blind and Kentucky School for the Deaf.** Chair David Tachau indicated that he had asked Associate Commissioner Johnnie Grissom to lead a discussion on the history of the work at the two state schools up to this point before proceeding to talk about the facilities planning committees. Johnnie Grissom began by noting that prior to 1998, the two schools brought forward annual reports to the State Board that were reviewed and commented on basically once a year. She stated that beginning in 1998, the Board gave the Department a new challenge relative to how to get the students at these schools to proficiency. She noted that a curriculum audit and assessment audit were performed at this point; however, these did not answer the question of whether the budget, staff, resources and facilities were being maximized. Grissom went on to say that the Board began to be very deliberate in the analysis of how each of the schools performed. Grissom noted that some of the things done by the Department and the Board to assist in academic improvement at the schools, were placing a highly skilled educator at each school, designating core content specialists to be assigned to each school who worked on professional development with staff, assigning a special education mentor to the two schools to check on federal compliance, performing a technology review, a school nutrition review, a safety audit, and a career and technical education evaluation of the vocational program, having the school staffs do snapshot assessments with each student, and conducting

scholastic reviews at both schools. Grissom continued that in February 2001, the Board again asked if facilities, resources, staff and budget were being used to their maximum potential, but noted again the question could not be answered definitively. She said this led to the Board requesting an external review be conducted, which was accomplished by the American Institutes for Research. Grissom reported that the findings from this external review were presented to the Board in June 2002. She indicated that the recommendations from this external report led the Board toward the approval of the 5-year implementation plan last August. As part of this 5-year plan, the facilities at the schools needs have to be considered and aligned with the instructional program.

At this point Helen Mountjoy asked if someone would explain the organizational structure and chain of command for the schools.

Barb Kibler responded that there is a KDE team that has oversight for both schools. Kibler is the Director of that team. On each school's campus, there is a principal, campus manager, director of outreach and an operations officer. Kibler noted that Larry Conner is the operations officer for both schools, currently with more duties at KSD because of some specific needs that exist there. Conner works with human resources, payroll/benefits, budget management and technology services at KSD and some personnel and payroll/benefits at KSB. Kibler noted that the KDE team has reviewed almost all job positions and functions at the schools and aligned them with the implementation plan. She indicated that the facilities planning committees were formed as the implementation plan became more specific. This became necessary so that facilities could align with the needs identified in the implementation plan.

Bill Stearns then indicated that the local planning committees at each of the schools started meeting in January of 2004, with their formation being in November 2003. He explained that he had overseen the formation of the committees and had followed the guidelines in the school facilities planning manual for this process. Stearns reported that the KSD committee has fourteen members and the KSB committee has twelve members. He said that each committee has had 25 or more meetings this year and has gone to extensive lengths to seek input from the community.

2. **Update on the Facilities Planning Committees for the Kentucky School for the Blind and Kentucky School for the Deaf.** Division Director Mark Ryles came forward to address the facilities planning process, at the request of Chair David Tachau. He explained that the process used at KSB and KSD parallel as much as possible what is done in a local school district. He noted one of the differences being that in lieu of public forums for local school districts, the schools' local planning committees have tried to keep their meetings as open as possible. Ryles continued that in the local district planning process, the local planning

committee makes a recommendation to the local school board and then the board votes on the draft facilities plan, sending it forth to a public hearing. He shared that pending final approval by the local board, then the plan comes to the Kentucky Board of Education for approval and becomes the mechanism for using capital construction funds, setting priorities and identifying needs. Ryles noted that KSB and KSD are basically following the same process with the big difference being that the Kentucky Board of Education serves as their local board. He reported that the committees hope to bring the facilities plans to the Board in December.

Dorie Combs asked if what the Board is doing with the facilities planning process at KSB and KSD is really a good faith effort rather than a requirement of law. David Tachau confirmed that Combs' assessment is correct indicating the Board is not required to use the facilities planning process at the two schools but wanted to allow input into the process.

Mr. Ryles then continued by identifying the major construction funds allowed in statute for school districts to access as being the School Facilities Construction Funds, SEEK Capital Outlay, Facilities Support Program of Kentucky and Growth District Levy. He stated that these funds are not available to KSB and KSD schools because they are under state government.

Chair Tachau asked how the facilities dollars become available for the two schools.

Commissioner Wilhoit responded that through the state budgeting process, the two schools have two types of money available to them, operating accounts and capital construction. He went on to say that all state construction comes from the granting of capital project requests. Thus, David Tachau said that the Board would need to be mindful of coming forward with facilities priorities and also making sure that capital project requests are submitted for those priorities.

At this point, Chair Tachau asked Kevin Noland to clarify what happens to the dollars if the schools sell land or structures that generate revenue. Deputy Commissioner Noland explained that in the previous budget bill and in the one that did not pass this last session, there was language that allowed these types of dollars to be put in trust for the benefit of KSB and KSD because normally, these funds would have lapsed to the general fund. It was also clarified that these types of revenues, as long as the budget bill language is in effect, could go toward capital construction projects or operations.

The last part of the discussion dealt with the actual preliminary facilities plans that the two local planning committees are generating. Tim Lucas briefly explained what process the committees had gone through as follows:

- Information was first gathered on what exists and the approximate cost for operating each building was developed.
- The committee tried to estimate the percent of utilization/occupancy of the current buildings.
- The committee looked at determining the spaces that are needed by the implementation plan.
- The committee discussed overall planning concepts and redefined how the campus is developed.
- A series of planning options were put together to spur discussion and move toward a final plan that would set priorities for construction.

CALL TO ORDER

Chair Keith Travis called the full Board meeting to order at 9:55 a.m.

ROLL CALL

Present for the meeting were Janice Allen, Dorie Combs, Bonnie Lash Freeman, Tom Layzell, Jeff Mando, Helen Mountjoy, Hilma Prather, David Rhodes, David Tachau, Keith Travis, Janna Vice and David Webb.

APPROVAL OF MINUTES

Jeff Mando moved approval of the September 7, 2004, and August 11-12, 2004, regular meeting minutes and Dorie Combs seconded the motion. The motion carried.

REPORT OF THE SECRETARY OF THE EDUCATION CABINET

Secretary Ginni Fox shared the following in her report:

- The Success by Six group received a \$750,000 grant to step up early childhood screening and to get children ready to learn.
- The Cabinet is halfway through reviewing the Governor's education plan and there seems to be two themes, one for early childhood and one for adult literacy. Overall, the plan has gotten good reaction. By the next Board meeting, a draft proposal will be ready and will represent a joint work from all those that have been involved.
- In meeting with higher education officials, the Governor's plan will be a major part of the Teacher Quality Summit. These officials posed a question as to whether the Governor is really telling higher education that teachers and principals are to be one of the system's primary products for economic development. The Secretary indicated that the Governor is prepared to make such a statement and shared that this will require our

education community to address alignment of teacher preparation and student learning as reflected in the content standards.

- As to health insurance, the Governor is very hopeful that the legislature will have a health insurance plan on the table in a little over a week. The Board was asked to assure teachers and principals that the Governor does understand their concerns and realized that his original plan caused too much pain too fast. Deputy Secretary Brian Crall added that it is very likely that what the legislature rolls out will change from what actually passes. He went on to say that there are two most likely options as follows: a) the legislature could take one of the existing plans, such as the premium plan and buy down to the benchmark of the preferred plan, or b) the legislature could extend the current plan through 2005. Crawl pointed out that the first option would cause no change in the contracts; however, he noted that the second option is more difficult to do and would be more costly.

REPORT OF THE PRESIDENT OF THE COUNCIL ON POSTSECONDARY EDUCATION

President Tom Layzell shared the following:

- The regional forums have begun with two already done. He noted the forums have been well attended with diverse audiences and the submission of a number of comments about the relationship between P-12 and postsecondary education.

REPORT FROM THE PRE-K TO 16 COUNCIL

Bonnie Lash Freeman indicated it was her first opportunity to attend the Pre-K to 16 Council meeting and emphasized her amazement at the depth of the discussion. She highlighted the following:

- The topics for the meeting focused on teacher preparation, professional development, curriculum alignment and policy development to ensure a seamless transition from preschool to postsecondary education and the workplace.
- Presentations ranged from the National Association Systems Head Summer Institute to the Refocusing Secondary Education concept paper to the Kentucky Scholars initiative to the American Diploma Project and local P-16 Council reports.
- One thing that stood out when Dr. Freed asked everyone what the most important thing is about the Governor's Plan was that the common answers were early childhood education, adult education and family literacy.
- Kim Townley brought up that standards have been developed for early childhood, specifically for parents.

- The Board members and P-16 members are urged to attend their local P-16 Council meetings.

REPORT OF THE COMMISSIONER OF EDUCATION

Commissioner Gene Wilhoit shared the following items:

- Department staff are still on schedule for the October 13 release of the assessment results. Some procedural changes were made this time including having district assessment coordinators come in and review their data prior to the release. 176 districts attended. The Board will get this data immediately before the public release.
- One issue that came out of the test data release is that preliminary Adequate Yearly Progress (AYP) designations were issued in August and now it is time to update this with the final data. Some districts that made AYP in the preliminary stage will have to go back and reverse their designation; however, these numbers are fairly small. This is still a major issue for any school; however, it is a requirement from the federal government that a notice go to parents at the beginning of the school year if choice is to be offered.
- Within the early childhood area, the standards (Building a Strong Foundation for School Success) that are aligned with our primary program standards was Step No. 1. Now, Steps 2, 3 and 4 exist with the same title but have a focus on assessment. A parent guide is also out with a whole sequence of guidance documents. All of these items contain developmental tasks and are on the Department's website.

GOOD NEWS FROM SCHOOLS AND DISTRICTS

Chair Keith Travis introduced the items of good news from around the state and shared the following:

- This week is Employee Recognition Week and we need to recognize the dedicated employees of the Kentucky Department of Education for the hard work they do everyday on behalf of the students of our state. KDE employees have persevered through position cuts, budget cuts and the assignment of more work to do with less people. The Board is honored to work with such committed professionals and holds KDE employees in high esteem not only during this special week but at also all times.
- Mark Ryles has been selected to receive the 2004 Allied Professional Award from AIA Kentucky (Kentucky Society of Architects). The award is given to pay tribute to an individual who has constantly endeavored to work harmoniously with architects and allied professionals toward creative and innovative design solutions. He was nominated

- by the AIA East Kentucky Chapter, who noted in making its nomination: “his ability to share his vision with other team members without marginalizing their roles has earned him the respect of school administrators and architects alike... He understands that the process must grow incrementally over time to create a total building inventory that can easily be maintained at a reasonable cost and help to bring the greatest number of students in the state to proficiency.”
- Four Kentucky public schools have just been named as Blue Ribbon Schools by the United States Department of Education. These are: Central Elementary, Johnson County; Morgantown Elementary, Butler County; Sacramento Elementary, McLean County and West Louisville Elementary, Daviess County. All of the schools have 40% or more of their students from disadvantaged backgrounds and all made federal Adequate Yearly Progress. Morgantown Elementary and Sacramento Elementary were named Blue Ribbon Schools in the dramatically improved in reading and math over the last three years category and Central Elementary and West Louisville Elementary won in the top 10% statewide in reading and math category. They will all be recognized in a ceremony in Washington, D.C. on November 4-5.
 - At this point Helen Mountjoy introduced Margie Pope and shared that Ms. Pope brought emphasis in the area of parent involvement when she was a State Board member. She also offered congratulations to Tom and Pat Gish, editors of the Mountain Eagle in Whitesburg, Kentucky, who have received an award that will henceforth bear their names from the Center for Rural Journalism and Community Issues at the University of Kentucky. Mountjoy indicated the award recognizes rural journalists for courage and tenacity for reporting the news. She explained that the Gish's have run the Mountain Eagle for 47 years and noted that Tom Gish served on the Kentucky Board of Education from 1991-1998.
 - The next piece of good news was offered by Jeff Mando relative to Julie Morris, a 7th grader from Twenhofel Middle School in Kenton County, who was a semifinalist in the 2004 Discovery Channel Young Scientist Challenge Contest. Mando indicated that Julie became interested in a chemistry project while looking for an experiment to do in her Mom's science books. He went on to say that Julie found an article about oil-absorbing polymers. Mando explained that Julie said “My mom said it was too bad this stuff wasn't invented during the Exxon-Valdez accident. That got me to wondering if it would have worked on crude-oil spills around the world. That is when I decided to try and find out if water temperature affects the way the oil-absorbing polymers work.” Mr. Mando reported that Julie competed with 7,500 students from regional and state fairs from 47 states, the District of Columbia and Puerto Rico. He said that she will soon find out if she made the finals to compete for scholarship money.
 - Hilma Prather shared the following two pieces of good news:

- Wayne Craft, a teacher at Pulaski County High School in Somerset, has been recognized as one of the nation's most innovative educators in the 2004 ING Unsung Heroes Awards Programs winning a \$2,000 national award. He is one of 100 winners who will now vie for one of the top three prizes – an additional \$5,000, \$10,000 or \$25,000. The ING Unsung Heroes Awards Program recognizes K-12 educators nationwide for their innovative teaching methods, creative educational projects and ability to make a positive influence on the children they teach.
- Tommy Floyd, principal of Somerset High School, is recipient of the Kentucky Association of School Administrators' Administrator of the Year Award. Wayne Young, KASA executive director, said: "Tommy represents all things that are good about school administration in Kentucky – dedication, excellence in doing what is best for children." Floyd has served as principal of Somerset High School since 1998. Kentucky Association of Secondary School Principals also named him as this year's Principal of the Year.
- Janice Allen moved on to share that a 5-minute documentary produced by three Floyd County Middle School students won honorable mention in a C-Span competition to encourage students to explore political issues in a presidential campaign year. Kelsey Stone, Joseph Preston and Mary Wright, all 13 and in the 8th grade, spent a good part of the spring term working on the documentary. They received a \$500 award from C-Span, which they split three ways.
- Janna Vice then noted that two Kentucky high schools were recognized for their achievement in the National High Schools That Work (HSTW) reform initiative during the HSTW Annual Staff Development Conference in Atlanta in July. Franklin County High School in Frankfort, Kentucky received a Gold Improvement Award, which was presented to the top 70 schools in the HSTW network that have shown the most improvement in student achievement. The Silver Improvement Award went to Hancock County High School, which ranked among the highest in improvement in Kentucky. The silver awards are given to the sites that made the most notable gains in their state on the 2004 HSTW assessment and also showed similar trends on the state's assessment.

BOARD MEMBER CONCERNS

The following issues were brought forward during this portion of the meeting:

- Bonnie Freeman reminded Board members that the National Association of State Boards of Education just sent out their study group list for next year and she said it was her hope that someone from the Kentucky Board of Education would express interest in the adolescent literacy group.

- Jeff Mando reported that he attended the first Kentucky Summit on Civics Education on October 5. Mando explained it was the result of a resolution that came from the legislature. He reported there to be good attendance with a diverse cross-section of people there. Mando felt, just as the Commissioner expressed to him, that there are good quality programs being implemented on civics education with resources available for schools to access. However, he pointed out that there seems to be a lack of coordination of the programs and a lack of being able to put the resources together. Mando indicated he was not sure if the Department could assist with this issue, but brought it forward for consideration.

REVIEW OF KENTUCKY'S WRITING ASSESSMENT

Chair Keith Travis asked Hilma Prather to chair the writing assessment item. Ms. Prather indicated that Starr Lewis, Cherry Boyles and Nancy LaCount will be helping the Board with this discussion and she thanked them for trying to put the information in a form that is understandable. She went on to compliment Board members for doing their homework and said she appreciated the depth of thought and research by everyone. Prather indicated that she hoped to move toward decisions relative to the writing assessment at the December meeting. She clarified that today the Board would be looking at information that has come forward from the Writing Focus Group and reflecting on that information. Prather emphasized that the Board would not be voting today but would be confirming its opinion in as many areas as possible. She proposed that the Board look at the chart prepared by staff and move down the questions provided in order to give staff feedback for the November and December meetings.

On the issue of what assessment components should be included in Kentucky's writing assessment and whether the portfolio should remain in both assessment and accountability, the following highlights occurred in the discussion:

- It was noted that 3 out of 8 of the proposals from the Writing Focus Group are against keeping the portfolio in accountability.
- The question of what kind of professional development will have to be implemented if the portfolio is spread across grade levels came up. The Commissioner indicated that it will be important to begin to evaluate the professional development practices of the past and improve upon those instead of assuming we move that current professional development to other grades.
- It was expressed that some areas of the state feel there must be major changes made in order to keep the portfolio in accountability.
- The concern was expressed from teachers that after fourth grade there is little focus on writing in grades 5-7 and this isolated focus on writing must be eliminated.

- Staff clarified that the Department has not had any major professional development on writing in the last few years due to the reduction of funds. The professional development that has been provided has been focused on the scoring of the portfolio and not on effective writing practices.
- It was emphasized that when one looks at the whole issue of training, it can't be done without partnerships.
- A suggestion came forward that if on-demand and the portfolio are kept in the system, perhaps on-demand could be looked as a pre- and post-test with the portfolio focusing on the process of writing. Thus, it could be configured that in 3rd grade would be on-demand, 4th the portfolio, 5th on-demand, etc.
- It was expressed that the overarching fault of currently not keeping writing instruction as a continual process must be at the forefront of the discussion.
- The problem was explained not to be the portfolio itself, but the implementation of it and thus, that is where professional development is key.
- It was advocated that reading and writing must be joined because they go hand in hand. Lots of dollars for reading have come into the state and as literacy ideas are looked at, reading and writing must both be a part of professional development.
- The necessity of making sure whatever the Board does is valid and reliable was emphasized and it was pointed out that the Board must confer with the National Technical Advisory Panel on Assessment and Accountability, the Office of Education Accountability, the School Curriculum, Assessment and Accountability Council and others before the next Writing Task Force meeting to get their input, if possible.

The next question on the chart that the Board focused on had to do with whether on-demand assessment should remain in assessment and accountability and whether it should be spread across multiple days. The following points were highlights of the discussion:

- Staff indicated that there was some discussion of moving on-demand over multiple days; however, this has been moved away from. It is now recommended that on-demand be kept as a one-day process with interest existing in moving it to a different time from the rest of the assessment.
- Staff also indicated that there seems to be great interest in changing the content of the on-demand items, making sure these are of high quality.

The next question focused on by the Board was if multiple-choice assessment items should be included in assessment and accountability. It was concluded multiple-choice needs to remain in

accountability and additionally there is interest in having a section on grammar, spelling and mechanics.

Scoring was an area discussed by the Board, particularly considering analytical scoring versus holistic scoring. It was concluded that the Board needs more information on analytical scoring before a decision can be made in this area.

Weighting was the next area of discussion. The following points surfaced in the discussion:

- It was summarized that the Board through consensus expressed that writing should be kept at the same composite weight, but perhaps the amount each kind of writing counts should be changed.
- In previous discussions the Board was leaning toward increasing the weight of on-demand and decreasing the weight of the portfolio.
- It was concluded that the next meeting of the Writing Task Force will need to focus on this issue.
- The rationale for making a change and the impact of any changes the Board would be considering in the future was requested to be part of the information that comes back to the Board for the writing assessment issues.

INTRODUCTION OF MINORITY SUPERINTENDENT INTERNS AND MENTORS

Chair Keith Travis indicated that the Minority Superintendent Intern Program was developed due to the concern Kentucky had no minority superintendents. At this time he introduced the new Minority Superintendent Interns as follows: Aundrea Locke, an assistant principal at Fort Knox Community Schools and Diana Woods, a middle school director for the Fayette County School District. He then introduced the mentors for these interns as follows: Nelson County Superintendent Janice Lantz and Oldham County Superintendent Blake Haselton as Aundrea Locke's two mentor superintendents and Fayette County Superintendent Stu Silberman, one of Diana Woods' mentor superintendents. He explained that Diana Woods' other mentor is Marion County Superintendent Roger Marcum, who could not be in attendance. Travis also recognized Shelby County Superintendent Elaine Farris as the first Kentucky minority superintendent and as one of last year's Minority Superintendent Interns, and former Shelby County Superintendent Leon Mooneyhan, who was Elaine Farris' mentor superintendent last year. He then indicated that the Board and the interns and their mentors would be having a joint lunch and recessed the meeting.

ASSESSMENT COMMITTEE MEETING

The Assessment Committee met from 1:00 p.m. to 2:30 p.m. and discussed the following item:

Review Items

1. **On-line Testing and In-state Scoring.** Commissioner Wilhoit began by introducing some individuals from the University of Kentucky with whom he said ongoing conversations are occurring about a long-term partnership for the assessment and accountability system. He introduced Dr. Jim Cibilka, who is a dean at the University of Kentucky and chair of the University of Kentucky Task Force that is looking at partnering with the Department on assessment and accountability. He then introduced Dr. Skip Keifer, who is a resident psychometric expert at the University of Kentucky. Wilhoit also shared that Hilma Prather, Keith Travis and himself visited the University of Kentucky last week to meet with President Lee Todd and others about where the Board is going in assessment and accountability and to get a sense of the University of Kentucky's commitment to partner with the Board in this area. He noted that they were excited about the potential role that the University of Kentucky could play.

Commissioner Wilhoit then moved on to the topic of on-line testing and shared the following:

- Lots of steps must occur between the vision of on-line testing and actually offering it. The goal is to push the concept as far as possible and come up with a conceptual design. In the best of all worlds, the on-line application would be implemented along with the new tests in 2006/07. This may not occur in all areas and staff will be able to assess this at a certain point to determine the kind of transition that can be made.
- Although we will have the most comprehensive on-line program when this comes into practice, there are other states engaged in this process with a furious effort across the country to try to and transform testing toward technology-based assessment.
- Kentucky is going in the right direction and is on the forefront of the work in this area.
- Having valid and reliable tests when this is rolled out is of the utmost importance.
- It is obvious that Kentucky cannot wait until the next contract to roll out on-line assessment.
- In 2005 during the pilot phase, two concepts will be tested: first, whether we can administer an on-line test and second, whether student results from on-line testing are different from the results of paper and pencil testing.

- The pilot would be conducted in the areas of reading and social studies and be limited to the high school level. It would be in a control group environment in order to give a sense of the capacity of the results.

Hilma Prather expressed the following concerns:

- Kentucky cannot afford to fail and thus, staff must proceed in on-line testing with great caution.
- We don't want to decrease the validity and reliability of the test.
- Concerns also exist about advancing this concept with enthusiasm and then having the potential to retreat once implementation is attempted.

Commissioner Wilhoit replied that staff is looking at the potential pitfalls but emphasized there is also danger in not moving ahead. He noted that the Department will not take this to its ultimate implementation unless the work can maintain the validity and reliability of the test and maintain the ability of districts to assess progress.

At this point Jeff Mando asked some questions with the first one being: "Are we talking about having on-line assessment for the total test, both multiple-choice and open-response?"

Commissioner Wilhoit responded as follows:

- Ultimately, the entire test would be given on-line; however, in the short term only multiple-choice will get immediate feedback via technology with the open-response scored through in-state scoring by Kentucky teachers.
- Wilhoit indicated another question is how soon we will ask students to write via technology. He emphasized that there must be an opportunity to teach the technology skills for the testing and for students to exhibit those skills before asking them to take the test on-line.
- Still another question exists about how young children would do taking the test on-line.
- Kentucky will end up with the total test given through technology or some mixture of on-line and paper/pencil.
- The ability to score open-response through technology does not yet exist to the level of staff of being comfortable with this. Educational Testing Service

(ETS) is doing impressive work in this area; however, we are not sure that we want to remove the teacher from the scoring process.

- The ability of teachers to use technology may also need to be increased. The current CATS survey shows little use of technology-based learning in the classroom.
- Another issue is the kind of technology that is available to use in the schools for on-line testing. To that end, David Couch is administering a capacity survey to school districts and will bring back results to the Board probably in December.

Jeff Mando went on to say his sense is that the problem is one of network issues plus quality and quantity. He asked if the Commissioner had a handle on the funding costs of getting the network and hardware up to speed to do on-line testing. He wondered if the results of the pilot would be used to support an increase in funding.

The Commissioner responded that we would not wait for the results of the pilot to support increased funding and are already pursuing additional sources of funds for technology. He said that it is obvious we will have to work in partnership with the schools, have to initiate a legislative mandate, tap resources that have not been tapped in the past and require some matching in order to make the funding available for the kind of technology that will be needed.

Still one more concern from Mr. Mando was about equity relative to a child that has no access to technology versus one that has constant access.

Commissioner Wilhoit agreed that equity is an issue and that we must pursue providing access to all students through the schools. Additionally, he suggested that a re-examination of the technology standards might be in order so that requirements could be set and applied systematically.

At this point, Helen Mountjoy stated that she thought the Board does not have any choice but to pursue on-line testing and figure out how it's going to be done. She emphasized that the Board has always said assessment should mirror the kind of instruction we value. Thus, she noted that for on-line testing there are instructional implications that must be addressed now. She then wondered how close the Department is to being ready to implement the increased use of technology.

Commissioner Wilhoit stated that staff is already having those kind of conversations with advisory groups and indicated that these conversations sadly confirm the inappropriate uses of technology in the classroom. He stated that one thing the Department is currently doing within the development of units of study is to include a

technology link in these units. He also thought the Board and Department will have to use the bully pulpit to emphasize the need for increased use of technology for instruction.

Ms. Mountjoy continued her thoughts and said that equating will be necessary if some students take the assessment on-line and some take it via paper and pencil. She expressed a concern that if equating is used based on the average performance, it could have an adverse effect on some schools. She thought that the equating might have to be school or student specific. Mountjoy stated that she assumed as the Department moved forward in the Request for Proposals process, vendors would be asked to respond to different delivery systems.

Gene Wilhoit replied that he hopes the Department can be more specific when the Request for Proposals is issued as far as what is required from vendors.

Next, Hilma Prather asked what would happen if all questions are answered in order to proceed with the Spring 2005 pilot, but then the implementation does go as well as expected.

Commissioner Wilhoit indicated that if all goes well, the pilot would be expanded. However, he said options would be built-in if there are glitches, such as shifting of timelines.

Janice Allen then added that if the formative assessments become implemented, this will help teachers and students feel more comfortable with the on-line testing.

Hilma Prather stated that she hoped to have an update on the on-line pilot at the December meeting. She then asked if the pilot would be just on multiple-choice or would also include open-response questions.

Gene Wilhoit replied that both kinds of questions would be given on-line; however, he noted the open-response would be scored by teachers.

At this point, Hilma Prather asked to move on to the concept of in-state scoring.

Commissioner Wilhoit gave the following highlights about this concept:

- The Department is looking at some system that would convene Kentucky teachers to do open-response scoring at regional scoring sites. He indicated that conversations with the University of Kentucky had been held about this concept.
- Simultaneously, training would be going on to produce a consistent scoring procedure.

- Eight or so centers would be required to implement the in-state scoring.
- The activities would occur at the beginning of June and mirror some of the same procedures now in place for training scorers in Indianapolis. Teachers would be compensated for this at a reasonable rate and participation from as many districts as possible would be solicited.

David Rhodes then asked whether the scoring would be blind and whether it would require teachers to be out of the classroom more.

Wilhoit responded that the teachers would not know the students they were scoring and that the scoring would be done once school is out or after the school day.

Hilma Prather then asked about how question development is moving along.

Commissioner Wilhoit shared that staff has learned that development of questions by schools is difficult within the timeframe questions will be needed. He went on to say that Kentucky owns all the test items that have been developed for the CATS test and most likely will have to rely on a subcontractor to help with question development. He also noted that we are talking with other states about sharing test items.

Helen Mountjoy then emphasized that scoring will be good professional development for those teachers who participate, but emphasized that the main concern would be an efficient and effective scoring system. She felt that the scoring could not be seen as universal professional development.

In summary, Hilma Prather said she heard from her committee that members are still supportive of the on-line testing concept. She indicated that the Department should proceed with haste but also with caution.

CURRICULUM COMMITTEE MEETING

The Curriculum Committee met from 2:30 p.m. to 4:45 p.m.

Action/Discussion Items

1. **704 KAR 7:150, Secondary GED Program and ACE Application (Final).**
Chair Dorie Combs indicated that this regulation was to be considered for final approval and noted this to be the Committee's third discussion on this item. She reminded members that the need for this regulation comes from a legislative bill and emphasized that the Board has to promulgate the regulation but schools do not have

to implement the program. She indicated that Jennifer Carroll and B.J. Helton were present to answer questions about the regulation.

Jennifer Carroll then summarized the suggested changes since the Board's last review of the regulation as follows:

- On Page 2, line 19 of the regulation, language appears that stresses this is the best last chance for students who are going to drop out. New language appears that says the students must be at least two grades behind the cohort group they entered high school with or have earned at least four credits toward graduation. A concern was raised that the word 'or' meant that the student would not have to earn those credits and then would not have any high school experience. Staff indicated that the credits can only be determined by Carnegie units and thought the wording needed to be changed to say "as measured by Carnegie units". The Committee agreed.
- On Page 3, line 3, new language appears to stress that it is a student's last chance who would otherwise drop out. The language says that "students will be provided all available support options to complete the regular high school graduation requirement, including counseling, appropriate remedial services or alternative education before placement in a secondary GED program is considered".
- From Page 3, line 12, new language appears in order to waive the fees for taking the GED test if a student is from a low-socioeconomic background.
- On Page 4, line 6, language has been inserted to determine what level of the Kentucky Core Content Test is taken if the student is enrolled in the secondary GED program.
- On Page 5, line 16, language was moved about being prepared to take the GED test by taking the practice test with achievement of certain scores. This language fits better at this place.

At this point, staff shared that the regulation and application were sent to the American Council on Education (ACE) for preview and comment, with the result of only a few superficial changes suggested by the reviewers.

Some issues were expressed by Board members along with responses by staff as follows:

Question – In addition to the \$20,000 fee that must be paid to the GED testing service for this program, what other costs are there to districts and the Kentucky Department of Education? Response – No additional cost will be incurred by the

Kentucky Department of Education since there is already a staff member allocated to this program. Districts will continue to get average daily attendance funding and students will pay the fee for taking the test. No other substantial costs exist.

Question – Why is the adult GED not available to these students? Response – The adult GED is available to these students if a waiver is signed by the superintendent, but this program is more than just GED coursework. If a district does release a student to get an adult GED, they do not receive the additional support given in a secondary GED program that will help prepare students for success in life. Additionally, the secondary GED program still offers the option to students of being part of the high school experience.

Question – Will a student's disposition be a factor in deciding who is a good fit for the secondary GED program? Response – The program has a strong counseling program to help address this and on page 3 of the regulation, it says that one factor in deciding placement in the program is the professional judgment of staff.

Question – Will this program put a strain on counselors since they will have an additional load in supporting these students? Response – Other teachers can become a part of the counseling component to help share the load.

Question – Could the Board have at its June meeting an update on the implementation of this program? Response – June or August would be appropriate times for this update.

Question – What about students with special needs relative to this program? Response – These students are held to the same academic requirements to enter the program.

At this point, Hilma Prather moved final approval of 704 KAR 7:150 to include the changes made at today's meeting and to recommend this to the full Board. Bonnie Lash Freeman seconded the motion and it carried.

Review Items

1. **Reading First Update: Monitoring Implementation of Reading First Grants.**
Chair Dorie Combs indicated this item was for review and the purpose is to see how staff will work toward the monitoring of the Reading First Program.

Associate Commissioner Starr Lewis then gave a quick summary for the committee and clarified that Reading First is the entire program package relative to reading in a school. She shared that the grants ranged from \$130,000 to \$175,000 based on the size of the school. Lewis went on to say that schools receiving a grant are expected to put into place a comprehensive reading program and commented that

the school must hire a reading coach to assist with implementation and with professional development in terms of addressing student needs. She emphasized that Reading First is intended to make a major impact on reading at the school level.

Lewis went on to clarify the difference between the Early Reading Incentive Grants/Read to Achieve and Reading First. She explained that the Early Reading Incentive Grants/Read to Achieve is only one slice of a total program and is essentially the intervention piece. Lewis noted that any school receiving a Reading First grant is not eligible for Read to Achieve funds because they already have the whole total reading program within the Reading First plan. However, she clarified that in order to get a Read to Achieve grant, the school must have a core program in place.

Lewis then moved on to note that when the Reading First grants were awarded, these were very difficult decisions. She indicated that another difficult decision may be facing the Board in the future if the monitoring staff finds that a school is not implementing their Reading First plan as proposed or if the school is not showing progress. Lewis explained that the federal government can withdraw Reading First funds, which amount to \$89 million over six years for Kentucky. Thus, Lewis said there may come a time when the Department must say to any schools in which the plan is not being implemented correctly or they are not showing progress, that the state will pull their Reading First funds. She assured the Board that staff will make members aware if this situation is encountered and noted that the attachment to the staff note provides staff's best thinking in the process that would be pursued if this scenario occurred.

The question was asked how often these schools would be monitored and staff indicated that through Reading First coaches, schools are monitored on a daily basis and the Department is notified immediately if concerns arise. Staff added that there are also district and school coaches that are held accountable for the monitoring. A request was made that staff provide the Board with a list of the reading programs that are being used in Reading First schools.

2. **Annual Report to the Interim Joint Committee on Education Regarding the Early Reading Incentive Grants (ERIG) Program.** Chair Dorie Combs clarified that the staff note on page 103 provides information more specific to the ERIG grants for this year. Associate Commissioner Starr Lewis went on to say that the report was not in the form that the Board usually receives because the program is in transition from ERIG to Read to Achieve. Therefore, she indicated the report is an update on where the Department stands in moving to the different process.

Division Director Michael Miller then reviewed that the original legislation for these grants was passed in 1998 and provided funds for the program through state dollars, historically from the lottery. He explained that although Senate Bill 100 did

not pass in the last legislative session, staff took the intent of this bill, known as Read to Achieve, to make changes to the ERIG program. Miller reported that initially the funding for the program was about \$4 million but now is up to \$9.1 in the Governor's spending plan. He indicated that staff has posted a Request for Proposals for districts to respond to on the Department's website. He noted that Jennifer Baker is handling the receipt of the applications from districts, which are due October 25.

Jennifer Baker reported that she is still receiving letters of intent daily from districts that are intending to apply for these grants. To date, she noted the receipt of 370 letters of intent and commented that she expects about 400 applications. Baker said that staff is looking at funding about 100 schools with the grants ranging in size from \$65,000 to \$85,000.

A concern was expressed about changing the criteria in the Request for Proposals to all schools being able to apply rather than targeting low performing schools. Staff responded that the rationale behind this change is that there are struggling readers in all schools. Starr Lewis went on to say that there are other funds and grants targeted to low-performing schools. She said that at a point in the future after analyzing the data from the new grant process, the Board may want to revisit whether low-performing schools should be targeted.

3. **Annual Report from the Collaborative Center for Literacy Development (CCLD).** Chair Dorie Combs indicated that the CCLD does research on the effectiveness of the ERIG program and introduced Dr. Susan Cantrell and Dr. Kay Lowe, who work closely with this research.

Dr. Cantrell stated that the CCLD is in a transition period waiting for ERIG/Read to Achieve to be defined. Then, she noted that Kay Lowe would share the content of data from districts' evaluation forms and summarize the research. Also, she asked the Board to be thinking about future research that is needed for Read to Achieve.

Dr. Lowe explained that this particular research is based on schools' evaluations of ERIG and said this has been done over three years. The major points of the research included:

- It is apparent that schools do spend funding in various inconsistent ways.
- Professional development also varies from school to school with some being prolonged and continuous and others being a more crash course approach.
- Technology seems to be coming through strongly in the school responses, but concern exists about how the technology is used. Technology should not be a substitute for good one-on-one instruction.
- For the first time the research indicated a definite connection between reading and writing.

- All schools use small groups, but a concern exists about how to set these up and use them effectively.
- In Reading Recovery schools, having the participation and assistance of a Reading Recovery teacher helped the effectiveness of the small groups.
- Money allowed teachers to buy materials to improve the quality of instruction.
- Most schools talked about the literacy coach but uses of the coach varied.
- Assessment is one of the big issues because there is no consistency in how it is being monitored or delivered.
- Teachers made comments about their confidence increasing as well as that of their students.
- Parent involvement seemed to be fairly tokenistic.

Next, Dr. Lowe presented the Board with a list of recommendations based on the major findings of the research as follows:

- The need exists to develop some consistent reporting methods that include assessment results for progress monitoring and outcome measures.
- Schools need to provide evidence to support positive changes in students' writing.
- No established criteria for selection of a program existed in the past and this needs to change.
- Parental involvement needs to be strengthened.
- Schools need to include a plan to ensure the ongoing success of the program once ERIG funds are exhausted.
- Schools need to provide more detail in strategic planning for ongoing professional development.
- The role of technology in literacy programs needs to be explored more fully.

Dr. Cantrell then shared that there are two areas showing positive influence over reading improvement and pointed out these were early intervention and the teacher's knowledge and skills.

Chair Dorie Combs focused the Board's attention on the policy issues contained in the staff note as follows:

- What are the implications for Reading First? Response: The research has lots of implications for overlapping with Reading First and CCLD will also be looking at Reading First schools.
- Should all schools adopt a literacy action plan? Response: The research information gathered by CCLD should be disseminated to all schools.
- What are future research questions? Response: Research is needed on reading programs with middle school and high school students and on effective professional development.

4. **704 KAR 7:120, Home/Hospital Instruction.** Chair Dorie Combs indicated that this would be the first reading of this regulation and asked Johnnie Grissom and Preston Lewis to come forward to discuss it. Associate Commissioner Johnnie Grissom indicated that legislation was passed that will require changes in the regulation. Currently, she explained that the Admissions and Release Committee (ARC) that is involved in planning for children with disabilities currently discusses and decides if the child is in need of home/hospital instruction. Then, she said, the next step is for an application to be completed and submitted to the Director of Pupil Personnel in order for the placement to occur. She noted that this actually violates federal law and explained that House Bill 10 does away with the application process and allows the ARC to determine eligibility for home/hospital services based on need in the Individual Education Program without requiring a sign-off from medical professionals on a home/hospital application form. Grissom went on to say that House Bill 10 also provides for an exception to the statutory requirements from certification by two different professionals for students to be served more than six months. She noted that the new statute “allows a medical professional to certify that the student has a chronic physical condition unlikely to substantially improve within one year”. Therefore, she noted that only one medical professional certification will now be required for services beyond six months for only those students with chronic physical conditions.

A question was raised about exactly what the concerns were from the Local Superintendents’ Advisory Council (LSAC). Staff explained that LSAC was concerned that if the ARC makes the decision then the central office will have no say in the process, whereas with the current application process there is involvement. Preston Lewis added that staff made an amendment to address this concern on page 2, line 11 through 18, where it now says that appropriate documentation on which to base the decision is required including a medical evaluation.

Chair Dorie Combs then said that since this is the first reading of the regulation, it will come under discussion again in December.

Thursday, October 7, 2004

MANAGEMENT COMMITTEE MEETING

The Management Committee met from 8:30 a.m. to 10:30 a.m. It was announced that Janna Vice would be the new vice chair of the Committee. The Committee then proceeded with the following agenda items:

Action/Consent Items

1. **2004-2005 Local District Tax Rates Levied**. Chair Jeffrey Mando indicated that additional districts had been submitted for consideration and noted a new list was being distributed. He went on to say that staff certifies these districts comply with the statutory requirements. However, it was noted that Edmonson and Martin Counties were removed from the list for further work and would come back to the December meeting. At this point Janna Vice moved to approve the submitted local district tax rates levied and David Tachau seconded the motion. The motion carried. Mr. Mando indicated he would recommend the approval of these districts' tax rates to the full Board later today.
2. **District Facility Plans: Green and Lincoln Counties and Erlanger-Elsmere Independent**. Chair Mando reported that staff certifies these district facility plans are in compliance with 702 KAR 1:001. He noted there was some controversy over the Lincoln County plan and asked Mark Ryles to summarize the issues.

Mr. Ryles indicated there was a desire for a second middle school, which was rejected by the local board and then the plan went back and forth between the local board and the local planning committee. He went on to say that the current plan being considered by the Kentucky Board of Education calls for the expansion of the current middle school, which is a compromise measure. Ryles reported that an allegation of misconduct relative to the facilities process was turned over to the Office of Education Accountability with nothing ever being found. He went on to say that the local board and local planning committee are now moving forward with the currently submitted plan.

Chair Mando noted that the local planning committee approved Lincoln County's plan with a 7 to 2 vote and the local board approved it with a 4 to 1 vote. At this point David Webb moved approval of all submitted facility plans and Janice Allen seconded the motion. The motion carried. Mr. Mando said that he will recommend all facility plans to the full Board later today.

Action/Discussion Items

1. **702 KAR 1:001, Implementation Guidelines, Kentucky School Facilities Planning Manual (Final).**

Mr. Mando indicated this regulation was coming forward for final approval and noted the committee had looked at it a number of times. He called the committee's attention to the language changes that were requested at the last meeting as being summarized on page 146 of the staff note. He also indicated that a letter from the Local Superintendents' Advisory Council (LSAC) can be found in the meeting folder that endorses the regulation with its current changes. Mando then asked Mark Ryles what additional changes on the composition of the committee were suggested during the conference call on the regulation.

Mr. Ryles responded that it was proposed to strike "local age, gender and ethnicity providing" relative to the language on the composition of the committee.

Mr. Mando explained that he thought the language was too precise and that local superintendents could be trusted to understand the intent of the Board.

David Webb indicated that he thought it would be better to say "represents demographics of the community". The committee agreed with this suggestion.

Chair Mando stated that the language would now read "The superintendent shall attempt to ensure that the composition of each LPC represents local demographics, providing a diverse committee that, in a meaningful way, reflects the composition of the district."

Mando then moved on to the second issue of selection of the local planning committee in which he said it was desired that the local governmental body have input relative to school facility plans. He felt that the new language added to the regulation would deal with this concern and the committee agreed.

Mr. Mando moved on to the last language change in the regulation that was requested by LSAC and asked Mark Ryles to explain why the change was made.

Mr. Ryles indicated that superintendents felt that it should be taken into consideration that a district's financial situation might create a prejudice for what facility needs to list in their plan, i.e., if the district did not have the money, it might not list as many needs. Thus, Ryles said the new language would have the district list the most pressing facility needs of a district regardless of its financial situation. He said that the language now reads: "The DFP shall include the most critical building needs of the district."

At this point Janice Allen moved final approval of 702 KAR 1:001 and Janna Vice seconded the motion. The motion carried. Mr. Mando indicated that he would recommend final approval of the regulation to the full Board later today.

2. **Coordinated School Health.** Chair Mando noted that this agenda item appears on 229 of the Agenda Book and asked Kyna Koch and Paul McElwain to give a quick summary of the item.

Associate Commissioner Kyna Koch reviewed that the Board has been struggling with the issue of coordinated school health over the last year. She indicated that staff had brought a couple reports in the past on the work that the Department is conducting in coordinated school health that is fairly limited and centers around the Centers for Disease Control grant. She noted that the grant is prescriptive in nature and limits the targeting of activities to certain areas instead of allowing the Department to target the resources in areas it desires. Koch went on to say that if the Department had the freedom to target the resources, it would take a whole different direction. However, she indicated that the federal government has now provided some help for the Board through the reauthorization of the Act that funds the school lunch and breakfast programs. With this new federal assistance, Koch explained, staff has brought forward a joint resolution to be considered by the 2005 General Assembly and become part of the Board's legislative package. She felt it would strengthen the Kentucky Board of Education's efforts in coordinated school health. She then asked Paul McElwain to explain the federal mandate.

Mr. McElwain reported that Section 204 of the Child Nutrition and WIC Reauthorization Act of 2004 requires districts to adopt for their schools local wellness policies that deal with nutrition, nutrition education and physical activity and other school-based activities designed to promote student wellness. He noted there is no language in the Act specifying who is to monitor this requirement. He explained that at the local district level, one or more persons is to be appointed to see that the local wellness policies are implemented and that the goals are achieved. McElwain said that staff is still waiting for the United States Department of Agriculture to send some type of guidance in regard to whether there will be monitoring at the state or federal level. He said that these policies are to be in place no later than July 1, 2006. Thus, McElwain explained that one of the things staff is recommending to the Board is to use the language in Section 204 requiring local wellness policies to achieve what is desired in Kentucky as the focus for coordinated school health. He stated that in the joint resolution, staff tried to recognize how schools and boards interact and noted staff took three areas identified in the federal law and expanded it to the eight components of the coordinated school health model. He went on to say that districts are asked to see to it that schools conduct the assessment with the school health index. Thus, he explained that benchmarks could be set before goals and policies are established. McElwain commented that instead of waiting for guidance from the federal

government in this matter, staff felt it would be good to go ahead and convene a group of stakeholders in the state and develop sample policies that schools and districts could use to meet this requirement. He went on to say that each school will develop what meets its individual needs reflected from what shows up in the assessment results.

Mr. Mando asked for the present status of districts relative to local wellness initiatives.

Paul McElwain responded as follows:

- Approximately ½ dozen districts have policies that meet some of the federal requirements.
- Daviess County is rolling their initiatives out incrementally. Lincoln County has initiatives rolling out and some exist in northern Kentucky.
- Jefferson County has implemented nutritional guidelines.
- There is no district in the position of meeting all requirements of local wellness policies with the sticking point being there is no one person designated for implementation.
- Seventy schools have coordinated school health committees.

Janna Vice asked what will occur once the audits are conducted and recommendations go to each school.

Paul McElwain responded that goals must be set and the school is responsible to see that these are met. He indicated that the Kentucky Department of Education will provide technical assistance and advice to the schools on how to address the goals. He went on to say that we still don't know if there will be a monitoring role from the federal or state level.

Chair Mando indicated he felt confident that if the Board passes the proposed resolution, it will want regular reports on the status of implementation.

At this point Mr. Mando stressed that it is important to cite and document facts within the resolution. Thus, he noted on page 234 that no source of data is cited for the fact that "19% of Kentucky students live in households at or below the poverty line".

Paul McElwain responded that this is data from the Family Resource Youth Services Center database and the data source can be added to this part of the resolution.

Then, David Rhodes moved to adopt the resolution as part of the Board's legislative package and Janice Allen seconded the motion. The motion carried.

Chair Mando said he would recommend the addition of the resolution to the Board's legislative agenda to the full Board.

3. **Request by the Jefferson County Board of Education to use an alternative formula to allocate funds to school councils in 2005-2006.** At the table for this item was Associate Commissioner Kyna Koch, Director Ron Brown, Jefferson County staff members Cordia Hardin and John Calipy. Kyna Koch indicated that 702 KAR 3:245 allocates funds to school councils. She explained that districts may request a waiver if the allocation process they use would give at least the same amount of dollars to school councils as would the formula within the regulation. Koch noted that Jefferson County has been doing this since 1994-1995. She assured the committee that staff has gone through the proposal line by line and assures the Board that it meets the requirements. She went on to say that the Kentucky Association of School Councils supports Jefferson County's waiver request, and then indicated staff recommends approval of the waiver. Koch noted that through MUNIS, staff is able to verify exactly how much the alternative formula sends to schools.

After this explanation, David Webb moved approval of the waiver request from Jefferson County and Janna Vice seconded the motion. The motion carried.

4. **SEEK Transportation Funding Formula.** Chair Mando indicated that staff had asked to do more work on this item and said it would be delayed until the December Board meeting.
5. **Kentucky High School Athletic Association (KHSAA) Board of Control Appointment.** Deputy Commissioner Kevin Noland reported that normally staff would not be coming to the Board at this time of year for an appointment; however, he explained that Cynthia Elliott had resigned from the KHSAA Board of Control. He noted that there are three years remaining on her term. Noland indicated that the process for appointing a replacement involves a recommendation from the Commissioner but clarified the Board can appoint whomever they wish. He explained that staff had asked for nominations and had gotten some from the Board. Noland went on to say that staff did contact a former Kentucky Board of Education member, Craig True, and reported he recommended Gary Stewart due to his vocation as a CPA. Noland stated that KHSAA has had financial troubles in the past and True felt that Stewart would be a good fit for the appointment. Deputy Commissioner Noland went on to recommend Gary Stewart as the Commissioner's choice but clarified that the Board is free to consider others for the appointment.

Jeff Mando thought there should be some discussion about the appointment process first. He asked if in the past nominations were limited to those from Board members or whether nominations came from other sources.

Deputy Commissioner Noland replied that in the past the nominations have come from various sources. He explained that the only thing in writing relative to the appointment is contained within the KHSAA Constitution where it says four at-large appointments are to be made by the Kentucky Board of Education on recommendation of the Commissioner. He stated that if the Board wants to come up with its own written process, that is certainly within its purview.

Chair Mando felt that the Board needs to formalize the process for the future. Janna Vice agreed and said the procedures should be spelled out in writing. David Rhodes added that perhaps the Board might want to consider an interview.

Chair Mando thought all four nominees were qualified and were outstanding candidates.

David Webb expressed concern that there was no advertising component within the process and said it was not clear if others than those submitted by Board members would be considered. He emphasized that he had the wrong impression because he thought the person would come from those nominated by Board members.

Jeff Mando expressed that there was an obvious misunderstanding in the communication process about the practices of the past. He said the lesson that has been learned is that the process needs to be formalized and clear to avoid misunderstanding. Mando said the parameters of the process must be established before the next appointment must be made for June of 2005.

Mando then moved on to the issue of appointing a person for this particular vacancy. He summarized that staff recommended Gary Stewart. Janna Vice moved to approve Gary Stewart and Jeff Mando seconded the motion. The motion died with two members voting no, two members voting yes and one abstaining.

David Rhodes then moved to appoint Tommy Gumm. David Webb added that he was not sure Mr. Gumm wished to be considered anymore, but seconded the motion. Then, Mr. Webb asked if this appointment has to be voted on at this meeting.

Kevin Noland replied that it could be tabled for now and in December a written process could be voted on. Noland said once the written process has been established, the Board could start over and take action in February.

Due to this interpretation, David Rhodes withdrew his motion and David Webb withdrew his second on Tommy Gumm.

Janna Vice asked that each nominee submit a letter of interest and the nominator be asked to send forth a letter recommending the nominee as part of the written process.

Review Items

1. **Update on Deficit and Watch List Districts and Discussion with Jackson County Officials.** Chair Mando indicated that this item is done on a routine basis, but noted this time the Superintendent and Board Chair from Jackson County were asked to appear to discuss financial concerns in the district. He recognized Jackson County Superintendent Ralph Hoskins, Director of Human Resources John Smith and Board Member Donna Gill as being present for the discussion. He called the Board's attention to a memo from Jackson County found in their meeting folder indicating what they are trying to do to address their financial situation. He went on to say that it has been the Board's policy to watch any district with less than a 2% fund balance. Mando emphasized that the Board is trying to avoid having Jackson County become a deficit district and noted the committee is concerned the district may not have done everything possible to address the situation.

At this point, Superintendent Hoskins noted that the district sent in a three-page summary of its efforts to improve its financial situation. He explained that the district has lost average daily attendance of almost \$2.2 million. He went on to say that the district has experienced kindergarten add-ons, absorbed the insurance cost for federal employees, lost the flexible spending account and has a small tax base. Hoskins indicated that the board is looking at increasing its revenue through a utility tax, but said it's hard to do when the state has no budget. He noted that the district's transportation costs are extremely high and that they have a large number of special education students (17-22%). Hoskins indicated that the National Forest Service owns a large tract of land (58,000 acres) on which the district gets no taxes. He then moved on to the second page of the handout where it showed the cuts the local board has made. He stated that the local board feels it must maintain a quality preschool program and a full-day kindergarten program. He said that the board has implemented the Department's recommendations. Hoskins felt that if the average daily attendance had remained constant, the district would not have the current problems. He noted that the Board has cut personnel by \$1.4 million and is hoping the average daily attendance drop will stabilize. He stated that it is hard to recommend cuts that will jeopardize students' learning.

Jeff Mando asked staff if they had had a chance to review the information from the district. Associate Commissioner Kyna Koch replied that she had not but would do so by the next meeting.

Mr. Mando pointed out it seems he remembered the district is overstaffed relative to classified positions. He noted that he sees certified positions cut in the report but not classified positions.

Hoskins replied that the district does full-day preschool and aides are needed for the classes. Additionally, he said that one-on-one special education aides are needed for the certain children with disabilities. Hoskins said the local board has tried to address the overstaffing in classified employees by eliminating administrative classified employees.

David Rhodes asked how much the new utility tax would generate.

Superintendent Hoskins replied it would generate \$700,000.

Rhodes emphasized that it is important for the local district to pay their fair share.

David Webb then asked about transportation costs.

Superintendent Hoskins replied that the district spends \$200-250,000 more than what it gets from the state for transportation. He noted that special education children generate a higher cost in transportation plus the district has a smaller number of busses as well as an older bus fleet.

Mr. Webb then asked if the district has a regular replacement cycle for busses. Mr. Hoskins said that it does not but confirmed the district needs to start buying about five per year and get on a cycle of regular purchases.

At this point, Jeff Mando stated that each school district is unique but noted that there are other districts facing declining enrollment that have remained financially sound. He emphasized the Board expects Jackson County to do the same. Mando continued that it is important for a local board to make tough decisions and utilize the maximum local effort. He said that if the district is overstaffed in classified employees it must reduce the positions. He thanked the district representatives for coming and said he hoped they knew what the Kentucky Board of Education expects of them.

ANNUAL “STATE OF THE UNION” REPORT BY KENTUCKY EDUCATIONAL TELEVISION AS REQUIRED BY THE “POINTS OF UNDERSTANDING BETWEEN KDE/KET” AGREEMENT

Malcolm Wall, Executive Director of KET and Bill Wilson of KET were present to give the report. Mr. Wall reminded the Board that last year about this time, KET and the Department of Education formalized a relationship and agreed upon an annual report. The report consisted of the following updates:

- KET has produced 220 instructional series over the last year. Eight of these are unique to Kentucky. KET conducts an annual utilization survey that gets a 60% response rate showing that 2/3 of teachers use KET programs.
- The Dance Toolkit and Drama Toolkit were created and promoted throughout the state. KET offers toolkit trainings at summer arts academies and arts institutes in conjunction with Kentucky education conferences and arts organizations and at schools through the work of KET's education consultants. An on-line training component is under development.
- KET is working on a visual arts toolkit and will follow with a music toolkit.
- A primary Spanish program is under development. It is being piloted in Jefferson County and will be released statewide next year.
- KET is facing the conversion from analog to digital and is starting to migrate this into homes. KET has six channels of digital service. The Annenberg Professional Development Channel is available through digital. The issue with conversion is in schools with 802 currently converted and 345 in the process. Eastern Kentucky, however, has an issue in that 108 schools cannot receive digital due to their terrain. KET is committed to seeing that these schools get the digital content even if it is through other methods.
- KET recently submitted a proposal to the Department of Education to produce professional development resources in support of Reading First. These materials will provide exemplary classroom demonstrations of instructional strategies and practices that address the five key early reading skills, teachers sharing their knowledge of scientifically-based reading instruction and their instructional decision making; guidance on assessing and diagnosing students' reading; and comments from recognized experts in reading instruction. Throughout the four years of the project, materials will address the professional development needs of primary teachers, special education teachers at all levels and elementary administrators.
- KET is pursuing students being able to access videos for assistance. KET will play a broker role to get schools and districts the best price possible for this resource.

PRESENTATION ON THE ENRICHING KENTUCKY! INITIATIVE, CRADLE TO COLLEGE COMMISSION, KENTUCKY'S AFFORDABLE PREPAID TUITION PLAN, CREDIT CARD DEBT ON YOUNG ADULT CHILDREN, "WOMEN AND MONEY" SEMINARS AND REFORM OF THE FEDERAL FINANCIAL MARKET

State Treasurer Jonathan Miller appeared before the Board and highlighted the following:

- Kentucky Affordable Prepaid Tuition Plan (KAPT) began in October 2001 and is guaranteeing tomorrow's tuition for colleges at today's prices. The program was reopened this fall from August to December 13 and participation has doubled. Challenges exist to reach the parents of elementary and middle school students. Program staff are trying to start a cultural change to get parents to begin to save for college earlier.
- Miller is working with Secretary of State Trey Grayson on the Cradle to College Program. The commission will meet for the first time on October 11. The idea is to start every child in the state with a college fund through the community college level. Any child taking advantage of the program will be required to do one year of community service. The commission would begin by funding the most at-risk students due to the limited availability of funds.
- To help with credit card debt of young adult children, Miller suggested education of students and regulating the marketing tactics of credit card companies on campuses. He is currently working with college presidents throughout the state to require credit card companies to agree to a code of conduct before being allowed to solicit applications from college students. Miller is also advocating for mandatory financial education as part of college freshman orientation. One more avenue he is pursuing is partnering with over 100 high schools in the state and the Center for Student Credit Card Education to introduce a credit card curriculum to high school students.

Chair Travis indicated the Board's support of Treasurer Miller's programs and expressed its willingness to partner with him if there are ways to support the initiatives.

2005 LEGISLATIVE AGENDA OF THE KENTUCKY BOARD OF EDUCATION

Deputy Commissioner Kevin Noland indicated that the Board did pass a motion to support a bill on prevailing wage if it is filed and if it has a sunset provision.

Helen Mountjoy stated that the items on the Board's legislative agenda are ones on which staff will draft the bills and seek a sponsor. She went on to say that the Board's opinion will also be asked by others on many bills that are submitted.

Hilma Prather stated that she felt there are other entities that could have taken the lead on the prevailing wage issue but commented none did.

Janna Vice suggested that staff dialogue with other entities to see if they plan on sponsoring a bill on prevailing wage.

David Rhodes requested a copy of the LRC study on prevailing wage and Keith Travis asked that it go to all Board members prior to the next meeting. It was the consensus of the Board that a decision on prevailing wage would be delayed until the December meeting.

At this point Jeff Mando moved adoption of the legislative agenda as presented with the option to add or delete from the agenda in the future. Helen Mountjoy seconded the motion and it carried.

APPROVAL OF ACTION/CONSENT AGENDA ITEMS

Management Committee Chair Jeff Mando moved approval of the action/consent items except for pulling Edmonson and Martin Counties from the school district tax rates levied. The Board concurred with the motion.

MANAGEMENT COMMITTEE REPORT

Action/Discussion Items

1. **702 KAR 1:001, Implementation Guidelines, Kentucky School Facilities Planning Manual (Final).** Committee Chair Jeff Mando explained the recent language changes made by the committee and moved final approval of 702 KAR 1:001 with the recommended changes included. The Board concurred with the motion.
2. **Coordinated School Health.** Mr. Mando explained that the resolution was considered in detail and that the committee recommends the Board add it to its legislative agenda so that the joint resolution can be considered by the next session of the General Assembly. He then moved approval of the resolution and the Board concurred.
3. **Request by the Jefferson County Board of Education to use an alternative formula to allocate funds to school councils in 2005-2006.** Mr. Mando recommended approval of the Jefferson County alternative formula and the Board concurred.
4. **Kentucky High School Athletic Association (KHSAA) Board of Control Appointment.** Jeff Mando reported that staff will come back with a written process for nominating individuals to fill the at-large seats on the KHSAA Board of Control and he said he hopes to have an agreeable nominee in December or February. He indicated that no action was taken on this item.
5. **SEEK Transportation Funding Formula.** Mando stated that no recommendation came forward on this item due to the fact that staff asked to do further work and bring it back in December.

To bring the committee report to a close, Mr. Mando reported that Janna Vice would be the new vice chair of the committee.

CURRICULUM COMMITTEE REPORT

Committee Chair Dorie Combs indicated that Bonnie Lash Freeman will serve as vice chair of the Curriculum Committee. She then reported action on the following item:

Action/Discussion Items

1. **704 KAR 7:150, Secondary GED Program and ACE Application.** Chair Combs indicated staff is bringing the regulation to the Board for final approval. She summarized the changes that were made and approved in committee yesterday. The Board did request one additional change to the regulation that resulted from the full Board discussion. The change was made on page 2, line 19 where it now reads "...the student entered high school with and has earned at least four credits toward graduation". Combs recommended that the regulation be given final approval and the Board concurred.

KSB/KSD COMMITTEE REPORT

Keith Travis indicated that he met with representatives of the group that came to the Board meeting yesterday with objections and said he did express displeasure at the group directing objections toward individuals rather than the plan or the strategies the Board is implementing. David Tachau added that each Board member did receive a letter from this group outlining its complaints.

ASSESSMENT AND ACCOUNTABILITY COMMITTEE REPORT

Chair Hilma Prather reported that Janice Allen will continue to serve as the vice chair of the committee. She also summarized the content of the discussion on on-line testing and in-state scoring that occurred during her committee.

INTERNAL BOARD BUSINESS

The following items were dealt with under internal board business:

- Chair Travis asked Jeff Mando to report the results of the Commissioner's evaluation. Mr. Mando reviewed that the Board discussed the Commissioner's performance at its last meeting and said that as an outgrowth of that session and a meeting with the Commissioner the next day, a written evaluation document has been prepared. He indicated all members have seen a draft of the document and said a copy of it is being placed in front of each of them. Mando stated that the Commissioner has done an outstanding job and noted the Board is pleased with the results he has achieved. He then moved adoption of the written evaluation dated October 7 and David Rhodes seconded the motion. The motion carried.

- Mr. Mando went on to propose a second motion that requested approval of a 2% raise for Commissioner Wilhoit in the coming year. Helen Mountjoy seconded the motion and the motion carried. At this point Helen Mountjoy asked to explain her vote. She said she hated to approve a 2% raise for the Commissioner because he deserved much more. She emphasized that the amount reflects the current restraints due to budgetary concerns. Chair Travis indicated that Ms. Mountjoy's remarks were very appropriate and well said.
- David Webb asked that Donna Carrier from Oakland Elementary be added to the good news items. He said that she was named an American Star Teacher because of her impact on the academic performance of her students. He noted that she was nominated by her principal.
- Chair Travis asked Board members to be thinking if they would like to volunteer to coordinate the Commissioner's evaluation process for next year. Jeff Mando added that the Board also discussed developing a more formal process for the Commissioner's evaluation. At this point David Tachau volunteered to coordinate the evaluation and work on formulizing the process.
- Mary Ann Miller asked that Board members provide David Webb with any input on the NASBE business that he will have to vote on at the annual conference.

ADJOURNMENT

At 12:30 p.m., David Rhodes moved adjournment and Helen Mountjoy seconded. The motion carried.